



**New Zealand High Court
Te Kōti Matua o Aotearoa**

PRESS STATEMENT

1 March 2018

There has been media comment about the exclusion of media representatives from a closed court hearing conducted in the Wellington High Court on Wednesday, 28 February and Thursday, 1 March 2018.

The hearing is a preliminary one in a civil proceeding brought under the provisions of the Passports Act 1992. The applicant has challenged the cancellation of a New Zealand passport. Section 29AB of the Act, as it was in force at the relevant time, provides for closed court hearings where classified security information is involved. The Act requires the Court to conduct such hearings in the absence of the person in respect of whom the decision concerned was made, legal representatives of that person and members of the public.

The Court has appointed special advocates to assist with issues that have to be dealt with in the absence of the applicant.

The procedure applies in the narrow circumstances prescribed by the Act. It is a statutory exception to the principle of open justice which the Court is obliged by the legislation to observe.

The case is on-going before Dobson J. No date has yet been allocated for the substantive hearing. The eventual outcome will be made available publicly in an appropriate form.

The hearing of the case should have been included in the daily list of proceedings in the Court, but in anonymised form to comply with the legislation. That was not done, but such listing will be undertaken in future in cases of this type.

**Hon Justice Geoffrey Venning
Chief High Court Judge – Te Kaiwhakawā Matua**